



## GEORGIA DEPARTMENT OF LAW

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March 27, 2012

Ms. Carol Ropski  
Acting Section Chief  
Enforcement Services Section 1, SE-5J  
EPA Region V  
77 West Jackson Boulevard  
Chicago, IL 60604-3590



Writer's Direct Dial:  
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Received

APR 03 2012

Emergency Enforcement  
Services Section

Re: CERCLA Section 104 Request – Texas Township Drum Site in Kalamazoo,  
Kalamazoo County, Michigan: Site Spill Identification Number B5PY

*Card*  
Dear Ms. Ropski:

This is written in response to the above, sent by Sharon Jeffess on February 27, 2012. You gave us an extension until April 16, 2012, to reply, but our review was completed earlier than expected. In response to the request, enclosed please find the "Affidavit of John McCollum", Associate Vice President in charge of the Environmental Safety Division of the University of Georgia.

If you have any questions, please call. You may address any future correspondence on this matter to me. Also, in the future please address any other EPA inquiry directed to the University of Georgia, to Mr. McCollum at the Environmental Services Division, University of Georgia, 240A Riverbend Road, Athens, Georgia 30602-8002. Thank you.

Sincerely,

WILLIAM R. PHILLIPS  
Senior Assistant Attorney General

Encl. (1)

Cc(w.encl.): John McCollum, U. Ga.  
Beth Bailey, U. Ga.

State of Georgia:

### **AFFIDAVIT OF JOHN MCCOLLUM**

I, John McCollum, after first being duly sworn by the undersigned officer, do hereby depose and say as follows:

1. That I the am the Associate Vice President in charge of the Environmental Safety Division (ESD), University of Georgia. My duties in that position include, *inter alia*, responsibility for the Hazardous Materials Management Program which provides training and service for the proper handling and disposal of hazardous materials waste for the main campus of the University of Georgia (in Athens) in order to maintain regulatory compliance for the cradle-to-grave tracking of hazardous materials waste (including, *inter alia*, hazardous substances and hazardous waste).
2. That this Affidavit is provided in response to the February 27, 2012, letter to Dr. Michael F. Adams, President of the University of Georgia, from the U.S. Environmental Protection Agency, Region V, on the subject of the "Request of Information Pursuant to Section 104 of CERCLA for the Texas Township Drum Site in Kalamazoo, Kalamazoo County, Michigan; Spill Site Identification Number B5PY" (hereinafter, "Texas Township Drum Site Information Request Letter").
3. That the procedures followed by University of Georgia personnel for hazardous chemical waste disposal including the period of the 1990s and through approximately 2007 were to:
  - a. Complete a Hazardous Waste Label for all containers, one tag per container.Containers without a completed Hazardous Waste Label were not accepted for disposal. Specific information was required on all Hazardous Waste Labels. This

included the chemical name(s), CAS #, a percentage for each chemical listed (must total 100%) and the container size.

- b. The exterior surface of all containers was required to be free of contamination. When empty containers were reused for waste collection, a Hazardous Waste Label was affixed and any labeling inconsistent with the containers contents was defaced or removed.
  - c. Hazardous Waste Label information was transferred to the Hazardous Materials Program Pickup Inventory Form (HW03-0296).
  - d. The Pickup Inventory Form was faxed or forwarded by campus mail to the Hazardous Materials Program for processing.
  - e. Once the Pickup Inventory Form was received, the Hazardous Materials Program prepared all required documents and contacted the laboratory to schedule a pickup. If the preceding guidelines were not met, pick up of hazardous waste containers was refused until the procedural or labeling deficiencies were corrected.
  - f. As hazardous waste containers were received and checked in to the ESD hazardous waste storage facility, the Hazardous Waste Label remained affixed to each container throughout its time in storage. The Hazardous Waste Label was only removed when the waste was later consolidated. At that time, the Hazardous Waste Label was collected and associated with the corresponding lab-pack or bulk drum.
4. That the procedures followed by University personnel for hazardous chemical waste disposal since approximately 2007 are to:
- a. Prepare for hazardous waste container pickup, transportation and storage by creating a hazardous waste label using the UGA Chematix system.

- b. A trained member of the laboratory staff will login to Chematix using UGA credentials to create and print each label. Labels are then affixed to each corresponding hazardous waste container to be submitted to the ESD for pickup.
  - c. In the event that an empty original chemical container is reused for the purpose of storing hazardous chemical waste, all original manufacturer and shipping labels are entirely defaced or removed in addition to having the requisite Chematix hazardous waste label affixed to the container.
  - d. The printed Chematix label shows the words hazardous waste, the generator's name, location, contact information and signature, the specific container contents and size, as well as a unique container identifier (bar code).
  - e. When all containers have been prepared and labeled, university personnel will again login to Chematix to submit a collective worksheet electronically (that is, via the web-based Chematix System) to ESD as a request for pick up. If the preceding guidelines are not met at any step, pick up of hazardous waste containers will be refused until the lab staff corrects any procedural or labeling errors.
  - f. As labeled hazardous waste containers are received and checked in to the ESD hazardous waste storage facility, the Chematix label remains affixed to each container throughout its time in storage. The label is only removed when the waste is later consolidated. At that time, the Chematix label is collected and electronically associated with the corresponding lab pack or bulk drum.
5. That the University of Georgia has no documents or records covered by the request contained in the Texas Township Drum Site Information Request Letter that pertain or potentially pertain to that Site.

6. That the labels attached to the Texas Township Drum Site Information Request Letter were mailing labels from Fisher Scientific, Inc., to mail materials to the University of Georgia. The materials mailed would not have included any hazardous materials since the U.S. Postal Service does not accept such materials for mailing, the University of Georgia did not receive any such materials by mail, and since the University of Georgia address shown on the labels is a mailing address. Also, Stryker test strips (shown on one of the attachments) do not constitute hazardous waste or hazardous substances and any used test strips would have been disposed of using the above-described procedures and any unused test strips of this nature would not have been disposed of as hazardous materials.
7. That the persons consulted in the preparation of the information provided herein are: (a) Brian Adams, Hazardous Materials Program Manager for ESD; and (b) Bill Favaloro, Director of Research Services for ESD
8. That the University of Georgia has no manifests or other records relating to possible shipment of hazardous materials or used laboratory materials to the Texas Township Drum Site that it is my understanding was owned and operated by Don Hagen (sp.?). The University also has no other possible waste disposal connection or other connection with Don Hagen.

FURTHER AFFIANT SAITH NOT.

Signed,

  
JOHN MCCOLLUM

Sworn to and subscribed before me this 23 day of March, 2012.

  
NOTARY PUBLIC

